

Message Text

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ACTION ARA-10

INFO OCT-01 IO-10 ISO-00 L-02 SCA-01 FEA-01 AGR-05 CEA-01

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INT-05 LAB-04 NSAE-00 NSC-05 PA-01 AID-05 CIEP-01

SS-15 STR-01 TAR-01 TRSE-00 USIA-06 PRS-01 SP-02

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FM AMEMBASSY MEXICO

TO SECSTATE WASHDC PRIORITY 6373

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E.O. 11652: N/A

TAGS: ETRD, MX

SUBJECT: MEXICO'S ELIGIBILITY FOR GENERAL PREFERENCES

REF: STATE 022154, 022760

1. SUMMARY: EMBASSY UNAWARE OF ANY OUTSTANDING CASES WHICH WOULD SEEM TO FALL UNDER PROVISIONS TITLE V TRA AFFECTING MEXICO'S ELIGIBILITY FOR GSP. HOWEVER, EMBASSY REPORTS BELOW ON KNOWN CASES WHERE QUESTION ELIGIBILITY MIGHT BE RAISED. DEPARTMENT WOULD HAVE AS FULL OR FULLER RECORDS ON THESE CASES THAN DOES EMBASSY. EMBASSY WOULD APPRECIATE EARLY DEPARTMENT CONSIDERATION ELIGIBILITY QUESTION, AND CONSIDERING HIGHLY SENSITIVE NATURE THIS MATTER REQUESTS IT BE KEPT INFORMED OF STEPS TAKEN TOWARD FINAL DETERMINATION OF MEXICO'S GSP ELIGIBILITY. END SUMMARY.

2. EMBASSY'S EVALUATION OF OUTSTANDING CASES HERE
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SUGGESTS THAT NONE SEEM TO AFFECT MEXICO ELIGIBILITY

UNDER APPROPRIATE SECTIONS TITLE V OF TRADE REFORM ACT.

3. HOWEVER, EMBASSY DOES WISH TO REPORT FOR DEPARTMENT'S FINAL DECISION ON CERTAIN MATTERS WHICH MIGHT BE CONSIDERED RELEVANT. IN ALL THESE CASES, DEPARTMENT (L OR SCA) WILL HAVE RECORDS AS FULL OR FULLER THAN OUR OWN:

(A) PAPANTLA ROYALTIES. AT LAST REPORT, NOW-DECEASED U.S. ATTORNEY AND LONG-TIME RESIDENT OF MEXICO ROSCOE GAITHER HAD ARRANGED THROUGH COUNSEL IN DELAWARE TO BRING SUIT AGAINST PETROLEOS MEXICANOS (PEMEX, STATE OIL AGENCY) FOR ALLEGED NON-PAYMENT OF SUBSTANTIAL ROYALTIES. PEMEX CONSIDERED THIS A NUISANCE SUIT.

(B) SEIZURES OF AIRCRAFT AND AUTOMOBILES. EMBASSY HAS REPORTED MANY CASES IN RECENT YEARS OF SEIZURES BY MEXICAN LAW-ENFORCEMENT AGENCIES OF AIRCRAFT AND AUTOMOBILES ALLEGEDLY INVOLVED IN ILLEGAL ACTIVITIES SUCH AS NARCOTICS TRAFFIC. AS DEPARTMENT AWARE, EMBASSY HAS ENCOUNTERED GREAT DIFFICULTY IN ACHIEVING EARLY RETURN OF AIRCRAFT AND VEHICLES TO U.S. OWNERS.

(C) FORCED PURCHASE OF RANCLAND. PARTICULARLY DURING THE 1940S, BUT SUBSEQUENTLY AS WELL, SOME LARGE RANCHES OWNED IN DEFIANCE OF MEXICAN LAW BY U.S. CITIZENS, HAD TO BE BROKEN UP AND SOLD TO MEXICAN CITIZENS. HOWEVER, EMBASSY UNAWARE OF ANY SUBSTANTIATED CHARGES THAT LANDS WERE PURCHASED FROM U.S. CITIZENS AT UNFAIR PRICES, OR WERE TAKEN WITHOUT PROMPT PAYMENT.

(D) AZUFRERA PANAMERICANA. FOR COMPLAINTS ON BACK-PAYMENT OF ROYALTIES, SEE MEXICO A-463 OF OCT. 22, 1974.

4. WHILE INVESTIGATING BASES DESCRIBED ABOVE, EMBASSY HAD OCCASION TO QUERY LONG-TIME, PROMINENT LAWYER HERE WHO IS IN POSITION TO KNOW, AND HE CONFIRMED TO US THAT THERE WERE TO HIS KNOWLEDGE NO OUTSTANDING CASES LIMITED OFFICIAL USE

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OF THE SORT ENVISIONED BY TITLE V OF TRA.

5. COMMENTS: IF PROBLEMS CONCERNING MEXICO'S GSP ELIGIBILITY WERE TO ARISE AND COULD NOT BE FAVORABLY AND EXPEDITIOUSLY RESOLVED, THEN ADVERSE EFFECT ON U.S.-MEXICAN RELATIONS WOULD BE IMMEDIATE AND PROFOUND. ACCORDINGLY, EMBASSY REQUESTS THAT IT BE KEPT INFORMED OF STEPS TAKEN TOWARD FINAL DETERMINATION MEXICO'S

GSP ELIGIBILITY.

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